

08/31/01  
1054 U.S. PTO

Docket No.: 000166.0112-US00  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Michael E. Rickey, et al.

Application No.: Not Yet Assigned

Group Art Unit: N/A

Filed: August 31, 2001

Examiner: Not Yet Assigned

For: RESIDUAL SOLVENT EXTRACTION  
METHOD AND MICROPARTICLES  
PRODUCED THEREBY

09/942631  
08/31/01  
U.S. PTO

**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced  
Patent Application:

1. Application Data Sheet;
2. Utility Patent Application Transmittal;
3. Fee Transmittal;
4. Utility Application comprising: 30 pages of description; nine pages of claims (87 claims); one page abstract; and three sheets of drawings;
5. Declaration for Utility Patent Application;
6. Power of Attorney from Assignee;
7. Statement under 37 CFR 3.73(b) with a copy of the Assignment;
8. Recordation Cover Sheet;

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U.S. PTO

9. Assignment to Alkermes Controlled Therapeutics Inc. II;
10. Information Disclosure Statement;
11. Form PTO/SB/08A and 58 cited documents;
12. Check No. 284827 for \$2,516 to cover: \$710 basic filing fee; \$1766 additional claims fee; and \$40 assignment recordation fee; and
13. Two return receipt postcards.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 000166.0112-US00. A duplicate copy of this paper is enclosed.

Dated: August 31, 2001

Respectfully submitted,

By

Andrea G. Reister

Registration No.: 36,253

COVINGTON & BURLING

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Please type a plus sign (+) inside this box 

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U S Patent and Trademark Office; U S DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No.	000166.0112-US00
	First Inventor	Michael E. Rickey
	Title	RESIDUAL SOLVENT EXTRACTION, etc.
	Express Mail Label No.	

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents</small>		<b>ADDRESS TO:</b> Box Patent Application Commissioner for Patents Washington DC 20231	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original, and a duplicate for fee processing)</small>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i>		
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>		
3. <input checked="" type="checkbox"/> Specification [Total Pages <b>40</b> ] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings <i>(if filed)</i></li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	a. <input type="checkbox"/> Computer Readable Form (CRF)		
	b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper		
	c. <input type="checkbox"/> Statements verifying identity of above copies		
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <b>3</b> ]	<b>ACCOMPANYING APPLICATIONS PARTS</b>		
5. Oath or Declaration [Total Pages <b>1</b> ] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</small>	9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))		
	10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of <i>(when there is an assignee)</i> Attorney		
	11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>		
	12. <input checked="" type="checkbox"/> Information Disclosure <input checked="" type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations		
	13. <input type="checkbox"/> Preliminary Amendment		
	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>		
	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>		
	16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.		
6. <input checked="" type="checkbox"/> Application Data Sheet See 37 CFR 1.76	17. <input type="checkbox"/> Other: <div></div>		

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76


☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>19. CORRESPONDENCE ADDRESS</b>			
<input checked="" type="checkbox"/> Customer Number or Bar Code Label	26853	or <input type="checkbox"/> Correspondence address below	

Name	Covington & Burling				
Address	1201 Pennsylvania Avenue, NW				
City	Washington	State	D.C.	Zip Code	20004-2401
Country	USA	Telephone	202.662.6000	Fax	202.662.6291

Name (Print/Type)	Andrea G. Reister	Registration No. (Attorney/Agent)	36,253
Signature		Date	August 31, 2001

# FEE TRANSMITTAL for FY 2001

*Patent fees are subject to annual revision.*

## Complete if Known

Application Number	Not Yet Assigned
Filing Date	August 31, 2001
First Named Inventor	Michael E. Rickey
Examiner Name	Not Yet Assigned
Group Art Unit	N/A
Attorney Docket No.	000166.0112-US00

**TOTAL AMOUNT OF PAYMENT** (\$) 2,516.00

### METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-0740  
Deposit Account Name:

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 40.00

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
<b>SUBTOTAL (1)</b> (\$)					710.00

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
87	-20** =	67 x 18.00 =	1,206.00
Independent Claims	10	-3** =	7 x 80.00 =
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$) 1,766.00

\*\*or number previously paid, if greater, For Reissues, see above

### SUBMITTED BY

Name (print/type) Andrea G. Reister

Registration No (Attorney/Agent)

36,253

### Complete (if applicable)

Telephone (202) 662-6000

Signature

*Andrea G. Reister*

Date

August 31, 2001

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Michael E. Rickey, et al.

Application No./Patent No.: To Be Assigned Filed/Issue Date: Herewith

Entitled: RESIDUAL SOLVENT EXTRACTION METHOD AND MICROPARTICLES PRODUCED THEREBY

Alkermes Controlled Therapeutics Inc. II  
(Name of Assignee)

, a Corporation  
Type of Assignee, e.g., corporation, partnership, university, government agency, etc.

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. [x] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

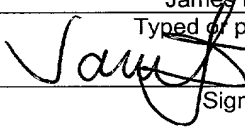
[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ x ] Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Aug 16, 01  
Date

James M. Frates  
Typed or printed name  
  
Signature  
Vice President  
Title